



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/618,212

07/10/2003

Yuzuru Suzuki

MIN-1

4217

7590

11/17/2004

Mitchell P. Brook, Esq.
Luce, Forward, Hamilton & Scripps
Suite 200
11988 El Camino Real
San Diego, CA 92130

EXAMINER

NGUYEN, HANH N

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/618,212

Applicant(s)

SUZUKI ET AL.

Examiner

Nguyen N Hanh

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-4 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Eaton et al.

Regarding claim 1, Eaton et al. disclose a motor (20 in Fig. 3 and Col. 2, line 38) comprising a rotary shaft (22) which allows light to pass therethrough in an axial direction.

Regarding claim 2, Eaton et al. also disclose a motor wherein said rotary shaft is hollow-cylindrical with its both ends open.

Regarding claim 3, Eaton et al. also disclose a motor further comprising a light source (26) which supplies light to one end of said rotary shaft.

Regarding claim 4, Eaton et al. also disclose a motor further comprising a light source (26) which supplies light to one end of said rotary shaft.

Regarding claim 9, Eaton et al. also disclose a motor wherein said rotary shaft is made of a metallic material.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Wilhelm et al.

Regarding claim 1, Wilhelm et al. disclose a motor (18 in Fig. 4 and Col. 6, lines 14-36) comprising a rotary shaft (3) which allows light to pass therethrough in an axial direction.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eaton et al. in view of Shirasu et al.

Regarding claims 5 and 6, Eaton et al. show all limitations of the claimed invention except showing a motor further comprising at least an optical fiber which goes through inside of said rotary shaft and has its one end connected with said light source.

However, Shirashu et al. disclose a motor wherein the hollow shaft (1 in Fig. 1) further comprising at least an optical fiber (17) which goes through inside of said rotary shaft for the purpose of focusing light beam to one point (Col. 5, lines 9-11).

Since Shirashu et al. and Eaton et al. are in the same field of endeavor, the purpose disclosed by Shirashu et al. would have been recognized in the pertinent art of Eaton et al.

It would have been obvious at the time the invention was made to a person having an ordinary skill in the art to modify Eaton et al. by using at least an optical fiber which goes through inside of said rotary shaft and has its one end connected with said

light source as taught by Shirashu et al. for the purpose of focusing light beam to one point.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eaton et al. in view of Ross (US Patent No. 6,408,784).

Regarding claim 7, Eaton et al. show all limitations of the claimed invention except showing a motor wherein inside of said rotary shaft is filled with a light transmissible resin.

However, Ross discloses a motor wherein inside of said rotary shaft (12 in Fig. 1) is made with a light transmissible resin for the purpose of providing an improved illuminated pointer (Col. 1, lines 40-45).

Since Ross and Eaton et al. are in the same field of endeavor, the purpose disclosed by Ross would have been recognized in the pertinent art of Eaton et al.

It would have been obvious at the time the invention was made to a person having an ordinary skill in the art to modify Eaton et al. by filling the shaft with a light transmissible resin as taught by Ross for the purpose of providing an improved illuminated pointer.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eaton et al. in view of Ikarashi.

Regarding claim 8, Eaton et al. show all limitations of the claimed invention except showing a motor wherein an inner wall of said rotary shaft is coated with a light-reflecting layer.

However, Ikarashi discloses a pointer for use in a panel meter wherein a light-reflecting layer (126) is used for the purpose of increasing illuminating light reflecting efficiency.

Since Ikarashi and Eaton et al. are in the same field of endeavor, the purpose disclosed by Ikarashi would have been recognized in the pertinent art of Eaton et al.

It would have been obvious at the time the invention was made to a person having an ordinary skill in the art to modify Eaton et al. by coating the shaft with a light-reflecting layer as taught by Ikarashi for the purpose of increasing illuminating light reflecting efficiency.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Salmon et al. in view of Wilhelm et al.

Regarding claim 10, Salmon et al. disclose a panel meter (20 in Fig. 1) comprising: a display board (24) which has a scale and an opening formed therein; a motor (32 in Fig. 3) which is arranged at one side surface of said display board, and includes a rotary shaft (56) having its one end passing through the opening of said display board so as to protrude from the other side surface of said display board; and an indicating needle (34) which is made of a light-transmissible material, and attached to the one end of said rotary shaft so as to receive the light. Salmon et al. fail to show said rotary shaft allowing light to pass therethrough in an axial direction.

However, Wilhelm et al. discloses a pointer for use in a panel meter attached to the rotary shaft wherein said rotary shaft (3 in Figs. 1,4 and Col. 6, lines 14-36) allowing light to pass therethrough in an axial direction for the purpose of illuminating the pointer.

Since Salmon et al. and Wilhem et al. are in the same field of endeavor, the purpose disclosed by Wilhem et al. would have been recognized in the pertinent art of Salmon et al.

It would have been obvious at the time the invention was made to a person having an ordinary skill in the art to modify Salmon et al. by forming the shaft as a light guide to allow light to pass therethrough in an axial direction as taught by Wilhelm et al. for the purpose of illuminating the pointer

Conclusion


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh N Nguyen whose telephone number is (571) 272-2031. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg, can be reached on (571) 272-2044. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

HNN

November 2, 2004


DARREN SCHUBERG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800